



**Ohio Municipal Electric Association
Interested Party Testimony on House Bill 227
Before the House Commerce and Labor Committee
May 21, 2025**

Chairman Johnson, Vice Chair Lear, Ranking Member McNally, and members of the House Commerce and Labor Committee, thank you for the opportunity to provide interested party testimony on House Bill 227, regarding Ohio's underground damage prevention law.

The Ohio Municipal Electric Association (OMEA) serves as the legislative liaison for 80 Ohio municipal electric communities and for American Municipal Power (AMP), the Columbus based, non-profit wholesale power supplier and services provider to more than 130 municipal electric systems in nine states. Ohio's municipal electric systems account for approximately 5% of the electric sales in Ohio and serve approximately 400,000 residential, commercial and industrial customers. Ohio municipal electric systems range in size from Cleveland Public Power with 73,000 meters to the City of Toledo with one meter. The majority of our member communities are villages. As non-profit entities, municipal electric systems exist to provide reliable, affordable electric service to their customer-owners. Ohio's municipal electric systems are locally owned, managed and governed.

House Bill 227 is the latest legislative effort since 2013 to revise Ohio's underground damage prevention laws. Our primary concern relates to the elimination of the governmental entity exemption and its likely impact on costs and employee workload. Compliance with these proposed new requirements will require significant time and effort for virtually every activity that "penetrates the earth." While many governmental activities involve digging in rights-of-way, many do not and are low-risk to no-risk activities.

The OMEA has been an active participant in Underground Damage Prevention Coalition process and supported changes that were proposed several years ago, which included a lengthy list of activities that would not be subject to the call-before-you-dig requirement. Unfortunately, that list, even after approval through the Underground Damage Prevention Exemption subcommittee, was altered significantly.

Additionally, while it has been reiterated that removing exemptions of "entities" is needed to make Ohio 811 eligible for some amount of federal funding, it is unclear how similar "entity" exemptions, which remain under this bill, satisfy the claim that only "activity" exemptions would make Ohio safer, or eligible for these funds.

Ohio municipal electric communities take safety seriously and it remains their top priority. However, we do not believe the changes proposed in HB 227 make economic sense or significantly improve safety in Ohio.

Thank you, Chairman Johnson and members of the House Commerce and Labor Committee, for the opportunity to provide written interested party testimony today on House Bill 227.

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